

## **REMARKS/ARGUMENTS**

### **I. General Remarks**

Please consider the application in view of the following remarks. Applicants thank the Examiner for his careful consideration of this application and the references cited by Applicants in this application.

As set forth above, Applicants have requested continued examination in this application, in accordance with 37 C.F.R. § 1.114. Moreover, Applicants respectfully request that the amendments presented herein be entered and further request consideration of the claims in light of the amendments and remarks made herein.

### **II. General Remarks**

At the time of the Final Office Action, claims 1-7, 33, and 34 were pending in this application. Claims 1-7 stood rejected. Claim 1 has been amended herein. Claim 4 has been canceled. Claims 35-45 are new. These amendments are supported by the specification as filed. All the amendments are made in a good faith effort to advance the prosecution on the merits of this case. It should not be assumed that the amendments made herein were made for reasons related to patentability. Applicants respectfully request that the above amendments be entered and further request reconsideration in light of the amendments and remarks contained herein.

### **III. Remarks Regarding Allowable Subject Matter**

In the Final Office Action the Examiner noted that "Claims 33 and 34 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims." (Final Office Action at 3.) Applicants thank the Examiner for his indication that these claims would be allowable if written in independent form.

Accordingly, to place this application in condition for allowance, Applicants have amended independent claim 1 to recite the allowable subject matter of dependent claim 33. Because Applicants have amended independent claim 1 to recite this allowable subject matter, Applicants respectfully assert that independent claim 1 its dependent claims are allowable over the cited art. Thus, Applicants respectfully request the allowance of those claims.

Furthermore, Applicants note that at the time of the Final Office Action, claim 34 was already written in independent form. Therefore, Applicants respectfully submit that claim

34 as previously presented, and as presented herein, is allowable. Thus, Applicants respectfully request the allowance of that claim.

#### **IV. Remarks Regarding Rejections Under 35 U.S.C. § 103(a)**

At the time of the Final Office Action, claims 1-7 stood rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,002,125 issued to Phillips *et al.* (hereinafter "*Phillips*"). As set forth above in Section III, Applicants have amended independent claim 1 to recite the allowable subject matter of dependent claim 33. Accordingly, Applicants respectfully submit that independent claim 1 and its dependent claims are allowable over *Phillips*, and respectfully request the withdrawal of these rejections.

#### **V. Remarks Regarding New Claims**

As set forth above, Applicants have added new claims 35-45. New claims 35-39 depend directly or indirectly from independent claim 34. For the reasons discussed above and other claim features, Applicants believe that these claims are patentable over the cited references and in condition for allowance. New claims 40 recites the limitation of "derivatizing a polysaccharide with the metal coordinating group to produce a derivatized polysaccharide having bidentate ligands that comprise at least one bidentate ligand selected from the group consisting of: ethylenediamine; dithiocarbamate; 2,2'-bipyridine; 1,10-phenanthroline; 8-hydroxyquinolinato; and any combination." As the Examiner has not demonstrated that Phillips disclose any of these bidentate ligands, Applicants respectfully submit that this claim is allowable over the cited art. Claims 41-45 depend directly or indirectly from claim 40, and therefore are allowable for at least the same reasons. Therefore, Applicants request that the Examiner allow the new claims 35-45.

#### **VI. No Waiver**

All of Applicants' arguments and amendments are without prejudice or disclaimer. Additionally, Applicants have merely discussed example distinctions from the cited references. Other distinctions may exist, and Applicants reserve the right to discuss these additional distinctions in a later Response or on Appeal, if appropriate. By not responding to additional statements made by the Examiner, Applicants do not acquiesce to the Examiner's additional statements, such as, for example, any statements relating to what would be obvious to a person of ordinary skill in the art.

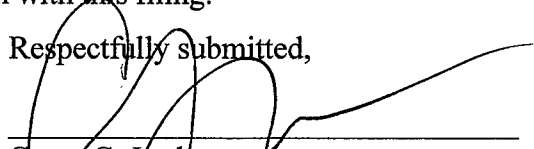
**SUMMARY AND PETITION  
FOR TWO MONTH EXTENSION OF TIME**

In light of the above amendments and remarks, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections. Applicants further submit that the application is now in condition for allowance, and earnestly solicit timely notice of the same. Should the Examiner have any questions, comments or suggestions in furtherance of the prosecution of this application, the Examiner is invited to contact the attorney of record by telephone, facsimile, or electronic mail.

The Advisory Action indicates that the deadline for responding to the Final Office Action was reset to four months from the mailing date of the Final Office Action, which fell on July 18, 2008. Applicants hereby petition for a two-month extension of time to file this response under 37 C.F.R. § 1.136(a), extending the deadline from July 18, 2008 to September 18, 2008. Accordingly, Applicants have authorized via the Office's electronic filing system the Commissioner to debit the Deposit Account of Baker Botts L.L.P., Deposit Account No. 02-0383, Order Number 063718.0175, in the amount of \$460.00 under 37 C.F.R. § 1.17(a)(2) for the two-month extension of time, extending the period to reply up to and including September 18, 2008.

Applicants have also authorized the Commissioner via the Office's electronic filing system to debit Baker Botts L.L.P.'s Deposit Account No. 02-0383, Order Number 063718.0175, in the amount of \$810.00 for the RCE fee under 37 C.F.R. § 1.17(e). Should the Commissioner deem that any additional fees are due, the Commissioner is authorized to debit Baker Botts L.L.P.'s Deposit Account No. 02-0383, Order Number 063718.0175, for any underpayment of fees that may be due in association with this filing.

Respectfully submitted,



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